

RE: For Awareness: Truck Convoy is planning to block trains

From: "McNeely, Michael" <michael.mcneely@tc.gc.ca>
To: "Williams, Duwayne" <duwayne.williams@tc.gc.ca>
Cc: "Bayliss, David" <david.bayliss@tc.gc.ca>, "Chang, Vincent" <vincent.chang@tc.gc.ca>, "Lepine, George" <george.lepine@tc.gc.ca>
Date: Thu, 10 Feb 2022 15:46:30 +0000

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Thanks Duwayne...both groups will be meeting today to discuss

From: Williams, Duwayne <duwayne.williams@tc.gc.ca>
Sent: Thursday, February 10, 2022 10:06 AM
To: McNeely, Michael <michael.mcneely@tc.gc.ca>; Bayliss, David <david.bayliss@tc.gc.ca>; Chang, Vincent <Vincent.Chang@tc.gc.ca>; Lepine, George <george.lepine@tc.gc.ca>
Cc: TC.F ONT PX RDGO / BDGR PX F.TC <ONTPXRDGO-BDGRPX@tc.gc.ca>
Subject: FW: For Awareness: Truck Convoy is planning to block trains

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Hi – just sharing for your eyes only. A bit of questions came through that is now addressed by the ADM below. I wanted you all to get context since you've been doing a lot of good work here too (thx for your ongoing support).

Mike and Dave -can you both please connect to determine (if we end up seeing things come to fruition) how to coordinate reporting to the Sitcen between your two groups for any overlapping issues? I do not think there will be much overlapping instances but things are happening so fast that its worth just a short discussion. Example: Sitcen reporting security actions related to blockades that also involve infrastructure inspection follow ups or heads up to alternate operating plans with the railway.

Duwayne Williams, P.Eng., MBA

Regional Director General - Ontario Region

Transport Canada / Government of Canada

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From: Brosseau, Kevin <Kevin.Brosseau@tc.gc.ca>
Sent: Thursday, February 10, 2022 8:52 AM
To: Keenan, Michael <michael.keenan@tc.gc.ca>; Langlois, Alain <alain.langlois@tc.gc.ca>; McCrorie, Aaron <aaron.mccrorie@tc.gc.ca>; Thangaraj, Arun <Arun.Thangaraj@tc.gc.ca>; DeJong, Michael <michael.dejong@tc.gc.ca>; Williams, Duwayne <duwayne.williams@tc.gc.ca>

Cc: Brackenridge, Jimmy <jimmy.brackenridge@tc.gc.ca>

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Michael,

Thanks to Mike and Duwayne, here is a bit more info:

- CN's commentary: "With respect to Sarnia and what Via was hearing – it was one Facebook post by one person that as of yesterday had virtually no traction – it received 6 "likes". We do not consider it to be a threat at this point but we are all over it – monitoring it and investigating who these people are and their capacity to influence others."
- CN has considered the possibility of a blockade since the beginning of the truckers protests. CN has put extensive resources and time to monitor social media and other sources (along with private consultants and other law enforcement partners) to monitor this potential.
- To date, CN has not identified any credible threat – but recognizes that the potential is growing based on the level of frustration of protestors – so CN will continue to monitor very closely until the threat has subsided. If a specific credible threat is identified, CN will be sure to advise TC immediately as per our protocol.
- Previous blockade in Sarnia was in 2013, so no injunction currently available at that location.
- No previous use of s 26.1 by CN (other than in Vancouver in November as I mentioned)
- With respect to freight through that corridor, mostly auto, fuel, chemicals and other dangerous goods

Working with Ontario region re: potential impact on traffic volume and more granularity on 26.1 to follow.

Kevin

From: Keenan, Michael <michael.keenan@tc.gc.ca>

Sent: Thursday, February 10, 2022 7:35 AM

To: Langlois, Alain <alain.langlois@tc.gc.ca>; Brosseau, Kevin <Kevin.Brosseau@tc.gc.ca>; McCrorie, Aaron <aaron.mccrorie@tc.gc.ca>; Thangaraj, Arun <Arun.Thangaraj@tc.gc.ca>; DeJong, Michael <michael.dejong@tc.gc.ca>; St-Jacques, Kim <kim.st-jacques@tc.gc.ca>; Williams, Duwayne <duwayne.williams@tc.gc.ca>

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More broadly, when is the last time we used this you recall?

From: Langlois, Alain <alain.langlois@tc.gc.ca>

Sent: Thursday, February 10, 2022 7:06 AM

To: Brosseau, Kevin <Kevin.Brosseau@tc.gc.ca>; Keenan, Michael <michael.keenan@tc.gc.ca>; McCrorie, Aaron <aaron.mccrorie@tc.gc.ca>; Thangaraj, Arun <Arun.Thangaraj@tc.gc.ca>; DeJong, Michael <michael.dejong@tc.gc.ca>; St-Jacques, Kim <kim.st-jacques@tc.gc.ca>; Williams, Duwayne <duwayne.williams@tc.gc.ca>

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A

From: Brosseau, Kevin <Kevin.Brosseau@tc.gc.ca>
Sent: Thursday, February 10, 2022 5:06 AM
To: Keenan, Michael <michael.keenan@tc.gc.ca>; McCrorie, Aaron <aaron.mccrorie@tc.gc.ca>; Langlois, Alain <alain.langlois@tc.gc.ca>; Thangaraj, Arun <Arun.Thangaraj@tc.gc.ca>; DeJong, Michael <michael.dejong@tc.gc.ca>; St-Jacques, Kim <kim.st-jacques@tc.gc.ca>; Langlois, Alain <alain.langlois@tc.gc.ca>; Williams, Duwayne <duwayne.williams@tc.gc.ca>
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Looping in Duwayne who spoke with CN yesterday about this and I believe confirmed this is CN's main Canada/US artery.
Mike D or I will connect with Steve Covey this a.m. as well.
Authorities are correct.
Kevin

From: Keenan, Michael <michael.keenan@tc.gc.ca>
Sent: Wednesday, February 09, 2022 11:12 PM
To: Brosseau, Kevin <Kevin.Brosseau@tc.gc.ca>; McCrorie, Aaron <aaron.mccrorie@tc.gc.ca>; Langlois, Alain <alain.langlois@tc.gc.ca>; Thangaraj, Arun <Arun.Thangaraj@tc.gc.ca>; DeJong, Michael <michael.dejong@tc.gc.ca>; St-Jacques, Kim <kim.st-jacques@tc.gc.ca>; Langlois, Alain <alain.langlois@tc.gc.ca>
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Can one of you please follow up with CN first thing in the AM for their assessment. Good to know how much traffic.

Did ai miss anything in authorities?

Michael

Michael Keenan
Deputy Minister - Sous-ministre
Transport Canada - Transports Canada
michael.keenan@tc.gc.ca
(pronoun: he/him - pronom d'usage : il)

Begin forwarded message:

From: "Keenan, Michael" <michael.keenan@tc.gc.ca>
Date: February 9, 2022 at 11:09:25 PM EST
To: "Charette, Janice" <Janice.Charette@pco-bcp.gc.ca>

Cc: "Drouin, Nathalie G" <Nathalie.G.Drouin@pco-bcp.gc.ca>, "Thomas, Jody" <Jody.Thomas@pco-bcp.gc.ca>

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Essentially the same authorities. Blocking the train is a criminal code offence (eg mischief), and police of local jurisdiction should deal with it directly by arresting and charging the perpetrators. If they use vehicles they should seize the vehicles etc.

Same problem as elsewhere : No lack of legal authorities to act but lack of police capacity to uphold the law.

There are some extra twists. CN has its own police force with peace officer powers so it can act on its own although it usually plays a supporting role to police of jurisdiction.

And CN can get a court injunction with enforcement provisions as it is impeding their right of way and causing them serious economic harm. This provides additional pressure on the police to act. In fact CN still has injunctions in a few provinces still valid from the 2020 blockades - can't remember if Ontario is one of them.

I have to check in the exact location but there is a prospect this could have another significant impact on supply chains. Will get more information first thing in the AM.

Michael

Michael Keenan
Deputy Minister - Sous-ministre
Transport Canada -Transports Canada
michael.keenan@tc.gc.ca
(pronoun: he/him - pronom d'usage : il)

On Feb 9, 2022, at 10:25 PM, Charette, Janice <Janice.Charette@pco-bcp.gc.ca> wrote:

A fresh wrinkle. What is the plan to deal with this? Do you have any leg or regulatory powers that can be brought to bear here?

From: MacKillop, Ken <Ken.MacKillop@pco-bcp.gc.ca>

Sent: Wednesday, February 9, 2022 8:38 PM

To: PCO Executive <PCOExecutive@pco-bcp.gc.ca>; PCO.F Assistant Secretary ADM / Secrétaires adjoints SMA F.BCP <PCO.AssistantSecretaryADM-SecretairesadjointsSMA.BCP@pco-bcp.gc.ca>

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Sent from my iPhone

Begin forwarded message:

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For awareness:

At 18:50 ET, 09 February 2022, new information was received. VIA Rail Police (Canada) reported receiving a message that the Sarnia Truck Convoy is planning to put blocks on the train tracks to block trains. Canadian National Railway (it is their track that VIA operates on) is aware of this, is continuing to monitor the situation and has notified all their staff (including Police) to keep an eye out on all the level grade crossings and overpasses. Their concern is that if this event does come to fruition they will not have the resources to manage it. If there is a blockade, there will be a greater impact to CN operations than VIA which only has one train a day from Toronto, ON to Sarnia, ON. (Source: Transport Canada Regional Director and VIA Rail Police)

Current Transport Canada Actions: Transport Canada – Intermodal Surface Security Oversight (ISSO) has been notified by telephone and via email notification.

Sent from my iPhone